

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 2-9, 11-17, 19 and 21-27 are currently being amended.

No claims are currently being added.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-27 are pending in this application.

Claim Rejections – 35 U.S.C. § 112, 1st and 2nd Paragraphs:

In the final Office Action, claims 7, 9, 14 and 17 were rejected under 35 U.S.C. § 112, 1st and 2nd paragraphs, for the reasons set forth on pages 2-4 of the Office Action. Applicant respectfully traverses these rejections for the reasons given below.

With respect to claims 7, 9, 14 and 17, it appears that the Examiner has misunderstood the present invention as recited in those claims. In the present invention according to claims 7, 9, 14 and 17, an information providing server 1 is connected with terminals and is shared with many users who use their terminals. Figure 17 of the drawings shows that a user database 114 stores the many user IDs and user current positions. Each user ID and user current position was inputted on each client terminal 2. Please also refer to paragraph 0122 in the published patent application US2002/0081020A1.

Sharing the database 114 among users makes it possible that a user that is browsing a third-dimensional browser can also see the position of other users that are also browsing a location similar to the user. Accordingly, the features that are argued on pages 2-4 of the Office Action as not being enabled by the present specification are clearly enabled by the present specification.

Note also that claim 9 has been amended to recite “using the extracted movement history to calculate the first time and the last time in which the viewpoint position of said user passes-through is within said surrounding area of said landmark”, whereby support for this change may be found in paragraphs 0135 and 0136 in published patent application US2002/0081020A1. Regarding claims 2, 8, 9, 13 and 19, those claims have been amended to correct the minor “indefiniteness” issues raised in the Office Action with respect to those claims.

Claim Rejections – 35 U.S.C. § 103(a):

In the final Office Action, claims 2-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,882,348 to Hirono in view of U.S. Patent No. 6,734,873 to Herf. This rejection is traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Presently pending independent claim 2 has been amended to recite, among other things:

advertisement contract means for receiving an advertisement placing request from said advertisement placing person, executing a contract process of [[an]] said advertisement placing request upon reception of said advertisement placing request from said advertisement placing person and updating said advertisement placing information stored in said advertisement placing information storage means based on said contract information stored in said advertisement contract storage means

The Office Action asserts that Hirono discloses ‘advertisement contract means for executing a contract process of an advertisement placing request upon reception of said advertisement placing request from said advertisement placing person and updating said advertisement placing information stored in said advertisement placing information storage means based on said contract information stored in said advertisement contract storage means’. However, Hirono merely discloses an advertisement correlation database 13 that is created by an administrator (see column 7, line 44-45 of Hirono). In the present invention according to independent claim 2, advertisement contract means receives an advertisement placing request from an advertisement placing person, so the advertisement placing person requests the executing process of the advertisement contract directly. As a result, the embodiment of this invention makes it possible that the advertisement provider transfers to

another person the purchased right to place an advertisement at a price higher than the initial price or can rent it to another person' (see page 23, lines 18-20 of the specification).

Accordingly, presently pending independent claim 2, as well as the other presently pending independent claims that have been amended in a similar manner, as patentable over the combined teachings of Hirono and Herf (which does not rectify the above-mentioned deficiencies of Hirono).

Furthermore, the present invention can establish a three-dimensional aerial sight seeing service as a business, whereby the service is provided to a user for free (see page 58, lines 1-19 of the specification). This feature, which is now recited in dependent claims 3 and 6, is not taught or suggested by either Hirono or by Herf, whereby the presently claimed invention as recited in those claims would not have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Conclusion:

Since all of the issues raised in the final Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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